UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF VIRGINIA

Roanoke Division

LESPIA J. KING,

v.

Plaintiff,

GEORGE M. McMILLAN, SHERIFF

Defendant.

Motion for Summary Judgment

The defendant, the Honorable Octavia L. Johnson("Sheriff Johnson"), moves the Court to grant summary judgment in her behalf. F.R.C.P. 56(b). In support of her motion she submits the attached brief with exhibits.

The Honorable Octavia L. Johnson

Civil Action No. 7:05cv00521

______s/ By counsel

John A. Gibney, Jr. VSB 15754 Counsel for Octavia L. Johnson ThompsonMcMullan, P.C. 100 Shockoe Slip Richmond, Virginia 23210 804/649-7545 Fax 804/780-1813 jgibney@t-mlaw.com

Certificate

I certify that on December 14, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to Terry N. Grimes, Esquire, Terry M. Grimes PC, 320 Elm Avenue SW, Roanoke, VA 24016; and Elizabeth Kay Dillon, Esquire, Guynn Memmer & Dillon PC, P.O. Box 20788, Roanoke, VA 20418.

_____/s/_ John A. Gibney, Jr. VSB 15754 Counsel for Octavia Johnson ThompsonMcMullan, P.C. 100 Shockoe Slip Richmond, Virginia 23210 804/649-7545 Fax 804/780-1813 jgibney@t-mlaw.com